

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Streambend Properties III, LLC and
Streambend Properties IV, LLC,

Civil File No.: 10-cv-4745 MJD/SER

Plaintiffs,

v.

ORDER

Sexton Lofts, LLC; JJT LLC; JJT
Development, LLC; Heather Enterprises II,
LP; Medved, LP; MRM Management
Corp.; Sexton I, LLC; Regency
Commercial Services, LLC; Regency
Commercial Services, LC; Brett A.
Thielen; Robert T. Myers; Michael P.
Medved; Nedal Abul-Hajj; Burnet Realty,
LLC; John Doe; John Gamble, Mary
Rowe; and XYZ, Corp.,

Defendants.

Sara M. G. Rojas, Law Office of Sara M. G. Rojas, 431 South Seventh Street, Suite 2446,
Minneapolis, Minnesota 55415, on behalf of Plaintiffs.

Brett A. Thielen, *pro se*, Federal Prison Camp, P.O. Box 1000, Duluth, Minnesota 55814.

Christopher L. Goodman and Richard A. Lind, Lind, Jensen, Sullivan & Peterson, P.A.,
150 South 5th Street, Suite 1700, Minneapolis, Minnesota 55402, on behalf of Defendant Burnet
Realty, LLC.

John J. Steffenhagen, Hellmuth & Johnson, PLLC, 8050 West 78th Street, Edina,
Minnesota 55439, on behalf of Defendants Sexton I, LLC and Nedal Abdul-Hajj.

Daniel C. Beck and Jacob B. Sellers, Winthrop & Weinstine, P.A., 225 South Sixth
Street, Suite 3500, Minneapolis, Minnesota 55402, on behalf of Defendants Medved, LP and
Michael P. Medved.

D. Charles Macdonald and Trista M. Roy, Faegre Baker Daniels, LLP, 90 South 7th
Street, Suite 2200, Minneapolis, Minnesota 55402, on behalf of Defendants MRM Management
Corp., John Gamble, and James M. Myers.

This matter is before the Court on the Report and Recommendation of United States Magistrate Judge Steven E. Rau. No objections to the Report and Recommendation were filed within the requisite time period. Accordingly, **IT IS HEREBY ORDERED** that Defendant Brett A. Thielen's Motion to Denial of Rule 12, Federal Rules of Civil Procedures, Pursuant to Rule 8(b) [Doc. No. 76] is **GRANTED in part** and **DENIED in part as follows**:

1. To the extent the motion seeks to prevent an entry of default against him at this time pursuant to Rule 12, the motion is **GRANTED**;
2. To the extent the motion seeks to be entered as a general denial pursuant to Rule 8(b)(3), the motion is **DENIED**. Within **45 days** from the date this order, Thielen shall answer or otherwise respond to the SAC; and
3. To the extent the motion seeks to stay the case as to Thielen until 30 days after his release from incarceration, the motion is **DENIED**.

Dated: July 10, 2012

s/Michael J. Davis
Michael J. Davis
Chief Judge
United States District Court